



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**REQUEST FOR REFUND OF OVERPAYMENT OF APPEAL FEE
PURSUANT TO 37 C.F.R. §1.26²**

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APPELLANT: Rainald SANDER DOCKET NO: P00,0184
SERIAL NO.: 09/497,618 ART UNIT: 2814
FILED: February 3, 2000 EXAMINER: D Farahani
CONF. NO. 7717
TITLE: TEMPERATURE-PROTECTED SEMICONDUCTOR SWITCH

Commissioner for Patents
PO Box 1450
10 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.26, Applicant herewith requests a refund in the
15 amount of \$320.00 to be applied to deposit account 50-1519 due to an
overpayment of the Notice of Appeal, paid on May 10, 2004 (attached in
Appendix A). On May 10, 2004, a second Notice of Appeal was filed and the fee
of \$330.00 was paid. However, this second Notice of Appeal was required after
prosecution had been reopened in a previous appeal. Appendix B includes proof
20 of payment of \$320.00 for the first Notice of Appeal filed on January 31, 2003;
Appellants are entitled to a refund for this \$320.00 overpayment.

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Respectfully submitted,

Mark Bergner (Reg. No. 45,877)

Mark Bergner
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Patent Department
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**APPENDIX A
RECEIPT SHOWING CURRENT OVERPAYMENT
OF NOTICE OF APPEAL FEE**



**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of: **Rainald Sander**

Serial No.: **09/497,618**

Attorney Docket No.: **P00,0184**

Filed: **February 3, 2000**

Confirmation No.: **7717**

Group Art Unit: **2814**

Examiner: **Farahani, Dana**

For: **Temperature-Protected Semiconductor Switch**

To Assistant Commissioner for Patents

SIR:

Applicant or patent owner hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 9, 2003 of the Examiner finally rejecting claims 1-9.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was obtained on _____ for _____
2. ☒ An extension of time to respond to the rejection dated 12/9/03 for 2 month(s) so that the period is extended from 3/9/04 to 5/9/04 is hereby requested under 37 CFR 1.136.
3. ☒ Appeal fee amount: ☐ \$165.00 ☒ \$330.00
- ☒ Extension of Time Fee \$420.00
- a. ☒ Enclosed
- b. ☐ Charge to Deposit Account No. 501519 (One additional copy of this Notice enclosed herewith).

ANY DEFICIENCY OR OVERPAYMENT SHOULD BE CHARGED OR CREDITED TO DEPOSIT ACCOUNT NO. 501519. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

Signature (37 CFR 1.191(b)) Mark Bergner 45,877

Post Office Address (to which
Correspondence is to be sent)

**SCHIFF HARDIN LLP
Patent Department
6600 Sears Tower
Chicago, Illinois 60606-6473
CUSTOMER NUMBER 26574
Telephone: 312-258-5779**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on May 10, 2004.

Mark Bergner
Name of Applicant's Attorney
Mark Bergner
Signature
May 10, 2004
Date

SCHIFF HARDIN LLP
INVOICE DATE

05/10/2004

VENDOR: 10260 COMMISSIONER OF PATENTS AND TR 05/10/2004

CHECK NO. 315451

INVOICE NUMBER

AMOUNT

DESCRIPTION

COMMISSIONER OF PATENTS AND
TR- NOTICE OF APPEAL FEE AND
2 MONTH EXTENSION FEE-
P00.0184- MB

P00.0184

750.00

TOTAL CHECK

\$750.00

APPENDIX B
RECEIPT SHOWING PREVIOUSLY PAID NOTICE OF APPEAL FEE



**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of: **Rainald Sander**
Serial No.: **09/497,618**
For: **"TEMPERATURE-PROTECTED SEMICONDUCTOR SWITCH"**
Filed: **February 3, 2000**
Group Art Unit: **2814** Examiner: **D. Farahani** Confirmation No.: **7717**

To Assistant Commissioner for Patents

SIR:

Applicant or patent owner hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 6, 2002 of the Examiner finally rejecting claims 1-9.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was obtained on _____ for _____
 2. ☐ An extension of time to respond to the rejection dated _____ for _____ month(s) so that the period is extended from _____ to _____ is hereby requested under 37 CFR 1.136.
 3. ☒ Appeal fee amount: ☐ \$160.00 ☒ \$320.00 (check enclosed)
- ☐ Extension of Time Fee
a. ☐ Enclosed
b. ☐ Charge to Deposit Account No. 501519 (One additional copy of this Notice enclosed herewith).

Any deficiency or overpayment should be charged or credited to Deposit Account No. 501519. A duplicate copy of this sheet is enclosed.

Signature (37 CFR 1.191(b)) Mark Bergner (Reg. No. 45,877)

Post Office Address (to which
Correspondence is to be sent)

SCHIFF HARDIN & WAITE
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CUSTOMER NUMBER 26574
Telephone: (312) 258-5779

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on January 31, 2003.

Mark Bergner
Name of Applicant's Attorney

Mark Bergner
Signature

January 31, 2003
Date

287103

SCHIFF HARDIN & WAITE

Check Date: 01/31/03

INVOICE DATE	DESCRIPTION	INVOICE NUMBER	AMOUNT
01/31/03	COMMISSIONER OF PATENTS AND TR- GOVERNMENT FEE FOR FILING A NOTICE OF APPEAL- P00.0184- MB	P00.0184	320.00
Total			320.00